

**COUNTY OF MADERA
BUDGET UNIT EXPENDITURE DETAIL
BUDGET FOR THE FISCAL YEAR 2009-10**

Department:

**TRIAL COURT
OPERATIONS (02300)**

Function:

Public Protection

Activity:

Judicial

Fund:

General

<u>ACCOUNT CLASSIFICATION</u>	<u>ACTUAL EXPENDITURES 2007-08</u>	<u>BOARD APPROVED EXPENDITURES 2008-09</u>	<u>DEPARTMENT REQUEST 2009-10</u>	<u>CAO RECOMMENDATION 2009-10</u>
<u>SERVICES & SUPPLIES</u>				
720900 Maintenance-Buildings & Improvements	74,010	98,260	51,892	51,892
722100 Utilities	61,097	49,555	54,510	54,510
TOTAL SERVICES & SUPPLIES	135,107	147,815	106,402	106,402
<u>OTHER CHARGES</u>				
731308 County Contribution to State Trial Court Trust	1,079,936	1,090,685	1,050,685	1,050,685
731315 Trial Court Funding - County Facilities Payment	262,730	263,587	263,587	263,587
TOTAL OTHER CHARGES	1,342,666	1,354,272	1,314,272	1,314,272
TOTAL - TRIAL COURT OPERATIONS	1,477,773	1,502,087	1,420,674	1,420,674

COMMENTS

With the passage of the Lockyer/Isenberg Trial Court Funding Act of 1997 (AB 322) on January 1, 1998, the Counties' responsibility to fund the courts ended. For more than 40 years, trial court budgets were developed and adopted at the County level with the Counties' having statutory responsibility to fund the trial courts.

AB 322 made the State budget process controlling and eliminated the counties' role in establishing and adopting budgets for court operations. Budgets are self-administered by the courts and expenditures are not subject to Board approval. Courts no longer turn to the County, but will look to the Judicial Council and the Legislation to respond to financial needs which arise during the year. In accordance with the provisions of the Trial Court Funding Act of 1997, the County has entered into a Memorandum of Understanding with the Madera County Superior Court regarding the providing of any support services. Current support services are for bailiff services. The County is able to charge the Court for these services at a rate not to exceed the costs of similar services to other County Departments or Special Districts.

Based on the recommendation of a State Task Force required under the provisions of the Trial Court Funding Act of 1997, effective January 1, 2001, County employees employed in the Court became Court employees.

County's Contribution to the State Trial Court Trust Fund

AB 322 includes a provision that requires the County to submit four equal installments based on an amount of fine and forfeiture revenues remitted to the State in 1994-95. There has not been any State legislation to waive the local contribution for fines and forfeiture revenue to Trial Court Funding. The recommended amounts shown below are the funds which the County will contribute for 2009-10.

Trial Court Facilities (SB 1732)

In 2002 SB 1732 was passed, which established the governance structure and procedures for the transfer of responsibilities for trial court facilities from Counties to the State. It provided the essential steps in completing the trial court funding reform effort which was begun in 1997 with the passage of the Lockyer-Isenberg Trial Court Funding Act (AB 233) discussed above. The transfer process to be accomplished as expeditiously as possible by June 30, 2007 and negotiated on a building-by-building basis between the State and the Counties resulting in an agreement governing each facility.

COMMENTS (continued)

On April 24, 2007, the Board of Supervisors approved all necessary documents for the transfer of responsibility for trial court facilities from the County of Madera to the State of California Administrative Office of the Courts (AOC) in accordance with the provisions of SB1732. The facilities are former County Government Center, Bass Lake Government Center and the Family Court Services facility, which was leased at 321 West Yosemite Avenue. The effective date of transfer was 4/30/07 for the former County Government Center and the Bass Lake Government Center, and 5/1/07 for the Family Court Services facility.

Under the provisions of SB 1732 the State requires a revenue source for the ongoing operations and maintenance of court facilities once transferred to the state by requiring the county to pay to the state an amount that the county has historically, on average, expended for the annual operation and maintenance for each court facility. The components based on the actual annual direct and indirect county expenditures on court facilities from 1995-96 through 1999-2000. The development of the County Facilities Payment Plan (CFP) was completed by the County Auditor-Controller and approved by the State Department of Finance. The annual County "maintenance of effort" for operations and maintenance for the transferred court facilities will be \$263,587, and is recommended funded through this budget. This amount will remain constant each year.

SB 1732 also requires the County to pay a percentage of the annual maintenance and utility expenses for the shared facilities. The pro-rata share of maintenance and utility costs for the former Government Center will be at 28% and Bass Lake Court at 32.5% . The State will be submitting to the County an "Estimate Statement" itemizing the shared costs. This Estimate Statement will come to the County after the preparation of the proposed budget, and any necessary adjustments will submitted at Final Budget. The annual costs for the shared maintenance and utility expenses are recommended funded through this budget.

The following is the recommended Trial Court Operations budget for 2009-10:

SERVICES & SUPPLIES

720900 Maintenance - Building & Improvements is recommended at \$51,892. This account represents the County's estimated pro-rata share of the annual janitorial and maintenance expenses for the former County Government Center and the Bass Lake Government Center. AOC will be submitting an estimated budget after the development of the 2008-09 Proposed County Budget. The preliminary annual estimated cost for maintenance is \$44,692 for the former County Government Center and \$7,200 for the Bass Lake Government Center. This is a reduction of \$14,302 from the base maintenance expense appropriated in 2008-09 due to credits for over charging. The State has indicated that for 2009-10 there will be no maintenance projects exceeding 10% of the estimated annual maintenance costs.

SERVICES & SUPPLIES (continued)

722100 Utilities is recommended at \$54,510. This account represents the County's estimated pro-rata share of the annual utility expenses for the former County Government Center (\$40,210) and the Bass Lake Government Center (\$14,300).

OTHER CHARGES

731308 County Contribution to State Trial Court Trust is recommended at \$1,050,685. This contribution represents revenue collected by the County which is comprised of fines and forfeitures remitted to the State in 1994-95. In previous years the County was required to contribute a Maintenance of Effort in the amount of \$1,042,797. In 2006-07, the State reduced the County's Maintenance of Effort \$17,112, from \$1,042,797 to \$1,025,685. It is recommended for 2009-10 that an additional \$25,000 be appropriated as the estimated County share of excess fine revenue which is required to be shared with State.

	Actual 2007-08	Approved 2008-09	Recommended 2009-10
1994-95 Base Year	\$ -0-	\$ -0-	\$ -0-
Fines and Forfeitures	1,025,685	1,025,685	1,025,685
Share of Excess Fines	21,417	50,000	25,000
 COUNTY CONTRIBUTION TO TRIAL COURT TRUST FUND	 \$1,047,102	 \$1,075,685	 \$1,050,685

731315 Trial Court Funding - County Facilities Payment is recommended at \$263,587 as the County's "maintenance of effort" based on the County Facilities Payment Plan (CFP). See Comments Section. The recommended amount is shown below by facility:

<u>Facility</u>	<u>County Facilities Payment</u>
Former County Government Center	\$191,335
Bass Lake Government Center	\$ 40,117
Family Court Services Office	\$ 32,135
 Total	 \$263,587